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SENATE BILL 565 By
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HOUSE BILL 1374
By Pinion

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, relative to the Tennessee higher education commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-204(a)(1), is amended by deleting the first four (4) sentences and substituting the following:

The commission shall consist of thirteen (13) voting and two (2) exofficio, non-voting members. Three (3) voting members shall be appointed by the governor; one (1) from each grand division. Three (3) voting members shall be appointed by the speaker of the senate; one (1) from each grand division. Three (3) voting members shall be appointed by the speaker of the house of representatives; one (1) from each grand division. Three (3) voting members shall be the secretary of state, comptroller of the treasury, and state treasurer. One (1) voting and one (1) exofficio non-voting member shall be students, appointed by the governor as set forth herein. One (1) exofficio, non-voting member shall be the executive director of the state board of education. All members shall have a knowledge of or background in higher education. All members shall be subject to confirmation by resolution of the senate and the house of representatives. No voting member shall be entitled to vote on commission business until confirmed by the senate and the house of representatives.

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SECTION 2. Tennessee Code Annotated, Section 49-7-204(a)(2)(A), is amended by deleting the first two (2) sentences thereof and substituting the following:

Membership shall be for a six-year term for the voting members appointed by the governor, speaker of the senate, and speaker of the house of representatives.

SECTION 3. Tennessee Code Annotated, Section 49-7-204(a)(4), is deleted.

SECTION 4. Tennessee Code Annotated, Section 49-7-204(b)(1), is amended by deleting the subdivision and substituting the following:

Vacancies on the commission shall be filled by the person making the original appointment, but no person appointed to fill a vacancy shall vote on commission business until confirmed by the senate and house of representatives.

SECTION 5. Tennessee Code Annotated, Section 49-7-204(b)(3), is amended by deleting the words "congressional district" and substituting the words "grand division".

SECTION 6. Tennessee Code Annotated, Section 49-7-204(f)(1), is amended by deleting the subdivision and substituting the following:

The commission shall meet within thirty (30) days of confirmation of a majority of the membership.

SECTION 7. Tennessee Code Annotated, Section 49-7-205(a)(2), is amended by deleting the subdivision and substituting the following:

The employment of the executive director shall be confirmed by resolutions of the senate and house of representatives, but if the senate and house of representatives are not in session at the time a vacancy occurs in the executive directorship, an acting director may be employed until the general assembly is in session. The executive director serves at the pleasure of the commission.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it. All appointments provided for herein shall be made and submitted to legislative confirmation

before the recess of the 1997 session of the general assembly. The nine (9) present appointed member positions on the commission are abolished on the effective date of this act.